

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRIAN HARRIS

v.

SAINT JOSEPH'S UNIVERSITY, et al.

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CIVIL ACTION

NO. 13-3937

FILED
MAY 13 2014
MICHAEL A. KUNZ, Clerk
By JL Dep. Clerk

ORDER

AND NOW, this 12th day of May, 2014, upon consideration of the Motions to Dismiss of Defendants, Saint Joseph's University and Joseph Kalin ("University Defendants") (ECF Document 23) and Defendant Jane Doe (Document 24), and plaintiff's opposition thereto, for the reasons explained in the accompanying Memorandum, it is hereby **ORDERED** that:

1. Defendants' Motions to Dismiss Plaintiff's Amended Complaint (Docs. 23 & 24) are **GRANTED in part** and **DENIED in part**;
2. Defendants' motions (Docs. 23 & 24) are **GRANTED** with respect to Plaintiff's claims of breach of contract (Count I), violation of Title IX (Count II), negligence (Count III), making public statements placing plaintiff in a false light (Count VI), and intentional infliction of emotional distress (Count VII), and those claims are **DISMISSED** without prejudice to filing a Second Amended Complaint, if Plaintiff can do so under the confines of Fed. R. Civ. P. 11(b), within twenty (20) days of the filing of this Memorandum and Order. Otherwise, these claims are dismissed with prejudice;
3. Defendants' motions (Docs. 23 & 24) are otherwise **DENIED**;
4. Plaintiff may continue to pursue his claims of a violation of the UTPCPL

(Count IV), defamation (Count V), and intentional interference with contractual relations (Count VIII).

BY THE COURT:



L. FELIPE RESTREPO
UNITED STATES DISTRICT JUDGE

ENTERED
MAY 13 2014
CLERK OF COURT